

Report Date: April 24, 2012

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Joel R Cervantes

Case Number: 2:06CR06056-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 6/11/2007

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1) & 924(a)(2)

Original Sentence: Prison - 51 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: K. Jill Bolton

Date Supervision Commenced: 10/19/2011

Defense Attorney: Kimberly A. Deater

Date Supervision Expires: 4/18/2014

PETITIONING THE COURT

To issue a bench warrant and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 1/30/2012.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
5	<p><u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.</p> <p><u>Supporting Evidence:</u> Joel Cervantes is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offense of possession of a stolen vehicle, on or prior to April 23, 2012.</p>
6	<p><u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.</p> <p><u>Supporting Evidence:</u> Joel Cervantes is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offense of attempting to elude, on or prior to April 23, 2012.</p>

According to reports provided by the Pasco Police Department, officers were notified the Kennewick Police Department was looking for a vehicle in which the driver was wanted for "threatening to kill a victim". The vehicle was located in Pasco and when officers attempted

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to stop it, the vehicle sped away. It was not until the vehicle hit a large garbage dumpster that the driver stopped and attempted to run. Pursuing officers deployed a Taser to stop the driver. The driver was taken into custody and was later identified as the defendant. It was noted the defendant smelled of intoxicants but he refused to cooperate with a BAC test.

The defendant was charged for possessing the stolen vehicle and eluding officers, under case number PPD 12-14588, and booked into the Franklin County Jail.

7 **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Joel Cervantes is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offense of assault in the second degree, on or prior to, April 23, 2012.

8 **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Joel Cervantes is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offense of auto theft, on or prior to, April 23, 2012.

According to information obtained from the Kennewick Police Department, the defendant was in a vehicle choking a female. The defendant then took control of the vehicle and was driving at a high rate of speed. The female was able to get out of the vehicle and assistance was summoned. As noted above, the defendant was arrested in Pasco in the stolen vehicle. The victim was taken to Pasco where she identified the defendant as the individual who had assaulted her and stole her vehicle.

Charges have been forwarded to the Benton County Prosecutors Office for assault second degree and auto theft under case number KPD 12-11771.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/24/2012

s/David L. McCary

David L. McCary
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other

s/Fred Van Sickle
Signature of Judicial Officer

April 24, 2012
Date